

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED
FEB 17 2004
Michael N. Milby, Clerk

In Re ENRON CORPORATION
SECURITIES, DERIVATIVE &
"ERISA" LITIGATION,

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§
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MDL 1446

MARK NEWBY, ET AL.,

Plaintiffs

VS.

ENRON CORPORATION, ET AL.,

Defendants

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CIVIL ACTION NO. H-01-3624
AND CONSOLIDATED CASES

VANGUARD BALANCED INDEX FUND,
et al.,

Plaintiffs

VS.

CITIBANK N.A., et al.,

Defendants.

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CIVIL ACTION NO. H-03-5808

**JOINT MOTION TO ADD VANGUARD MUTUAL FUNDS TO THE COURT-
ORDERED MEDIATION**

WHEREAS the Court ordered certain parties to mediation before the Honorable William C. Conner by order on November 1, 2003.

WHEREAS the Court ordered additional parties seeking to join the mediation to make a motion to this Court by order on November 1, 2003.

WHEREAS moving Plaintiffs were transferred to this proceeding by order of the Judicial Panel on Multidistrict Litigation dated December 4, 2003.

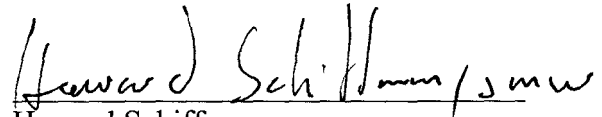
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WHEREAS the Court coordinated H-03-5808 with *Newby* by order dated January 5, 2004.

WHEREAS Defendants Citibank, N.A. and Salomon Smith Barney, Inc. are participants in the Court-ordered mediation.

THEREFORE, Plaintiffs and Defendants Citibank, Salomon Smith Barney, and Delta Energy hereby move jointly that the Plaintiffs be added to the Court-ordered mediation.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Howard Schiffman / smw", is written over a horizontal line.

Dated: February 13, 2004

Howard Schiffman
DICKSTEIN SHAPIRO MORIN
& OSHINSKY LLP

2101 L Street, N.W.
Washington, DC 20037
(202) 785-9700
(202) 887-0689 (Fax)

Attorney for Vanguard Balanced Index Fund, on behalf of its Vanguard Balanced Index Fund Series; Vanguard Bond Index Funds, on behalf of its Vanguard Short-Term Bond Index Fund Series and on behalf of its Total Bond Market Index Fund Series; Vanguard Fixed Income Securities Funds, on behalf of its Vanguard Intermediate-Term Corporate Bond Fund Series and on behalf of its Vanguard Short-Term Corporate Bond Fund Series; Vanguard Variable Insurance Fund, on behalf of its Short-Term Corporate Bond Portfolio Series and on behalf of its Total Bond Market Index Portfolio Series; and Vanguard Fiduciary Trust Company Corporate Bond Trust.

Handwritten signature of Michael E. Gertzman in cursive, with a horizontal line underneath.

Brad S. Karp

Michael Gertzman

PAUL WEISS RIFKIND WHARTON &
GARRISON LLP

1285 Ave. of Americas

New York, NY 10019

(212) 373-3000

*Attorneys for Defendants Citibank, N.A. and
Citigroup Global Markets Inc. (formerly
Salomon Smith Barney, Inc).*

Jeffrey S. Saltz

LAW OFFICE OF JEFFREY S. SALTZ,
P.C.

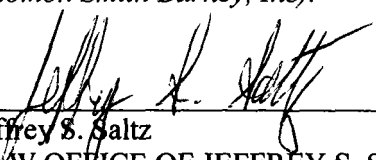
1515 Market Street, Suite 1000

Philadelphia, PA 19102

(215) 523-5317

*Attorney for Defendant Delta Energy
Corporation.*

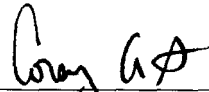
Brad S. Karp
Michael Gertzman
PAUL WEISS RIFKIND WHARTON &
GARRISON LLP
1285 Ave. of Americas
New York, NY 10019
(212) 373-3000
*Attorneys for Defendants Citibank, N.A. and
Citigroup Global Markets Inc. (formerly
Salomon Smith Barney, Inc).*



Jeffrey S. Saltz
LAW OFFICE OF JEFFREY S. SALTZ,
P.C.
1515 Market Street, Suite 1000
Philadelphia, PA 19102
(215) 523-5317
*Attorney for Defendant Delta Energy
Corporation.*

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing has been served upon all counsel of record via the www.esl3624.com website, on this 13 of February, 2004.

A handwritten signature in black ink, appearing to read "Corey A. Schuster", written over a horizontal line.

Corey A. Schuster